

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Robert Radcliff  
DOCKET NO.: 04-28368.001-R-1  
PARCEL NO.: 17-04-115-073-0000  
TOWNSHIP: North

The parties of record before the Property Tax Appeal Board (PTAB) are Robert Radcliff, the appellant, by attorney Edwin Wittenstein of Worssek & Vihon LLP of Chicago and the Cook County Board of Review (board).

The subject property consists of a four-year old, three-story, masonry, townhouse dwelling built on slab and located in North Township, Cook County. The improvement contains 2,323 square feet of living area as well as air conditioning, a fireplace and a one-car garage.

The appellant's attorney argued that the fair market value of the subject is not accurately reflected in its assessed value as the basis for this appeal.

The appellant argued that recent sales best reflected the subject's market value. In support of this argument, the appellant submitted various sales of townhouse properties. The appellant submitted seven sales located within the subject's development ranging in size from 1,422 to 2,101 square feet of living area. The sales occurred between September 2003 and July 2004 for prices ranging from \$356,500 and \$436,000. In addition, the appellant submitted four other sales of townhouse properties. The four sales are located within the subject's development and contain 2,323 square feet of living area. The sales occurred between August 2003 and July 2004 for prices ranging from \$426,000 and \$440,000. Ten residential sales located within a quarter mile of the subject were submitted but without building descriptions. These sales occurred between August 2003 and December 2003 for prices ranging from \$356,000 and \$581,000. No sales data was offered for the four-year-old subject. Based on this sales data, especially the four sales, the appellant requested an average of the four sales resulting in a market

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the COOK County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 6,812  
IMPR. \$40,470  
TOTAL: \$47,282

Subject only to the State multiplier as applicable.

PTAB/TMcG.

value of \$432,750. Based upon this evidence, the appellant requested a reduction in the subject's total assessment to reflect the suggested market value.

The board of review submitted "Board of Review-Notes on Appeal" that reflect the subject's total assessment of \$47,282 which equates to a market value of \$295,513 factored at 16%. The improvement assessment currently stands at \$40,470, or \$17.42 per square foot of living area. The board's evidence included a grid analysis reflecting assessment data and descriptions for four suggested comparables. The properties were located within one block of the subject. The properties contain three-story, masonry, townhouse dwellings with air conditioning, fireplaces and one-car garages. They are four years old and contain 2,323 square feet of living area. The improvement assessments are between \$17.32 and \$17.38 per square foot of living area. As a result of its analysis, the board requested confirmation of the subject's assessments.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. *Property Tax Appeal Board Rule 1910.63(e)*. Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. *Property Tax Appeal Board Rule 1910.65(c)*.

The PTAB finds that the appellant has failed to meet this burden of establishing a market value for the subject. The appellant submitted no evidence of a recent sale of the subject that would be comparable to the various suggested sales such as the four sales ranging from \$426,000 to \$440,000. The Assessor's estimate of market value as found in the Assessor's printout is \$295,513 which is well below the submitted comparable sales. The sales comparison approach to value performed by a licensed practitioner would not average a conclusion of value.

The board's evidence was silent as to the appellant's market value argument. However, the board's evidence supports the appellant's equity when compared to the board's submitted comparables.

As a result of this analysis, the PTAB finds that the appellant has not adequately demonstrated that the subject property was overvalued and that a reduction in the subject's assessment is not warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member

Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 1, 2008



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.